

**CAROSELLA & FERRY, P.C.**  
JAMES J. MUNNIS, ESQUIRE  
ATTORNEY I.D. NO. 69691  
882 S. Matlack St., Suite 101  
West Chester, PA 19382  
610-431-3300

Attorney for Plaintiff,  
David Howard

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DAVID HOWARD	:	IN THE UNITED STATES DISTRICT
	:	COURT FOR THE EASTERN DISTRICT
Plaintiff	:	OF PENNSYLVANIA
vs.	:	
	:	
JOHN E. POTTER,	:	CIVIL ACTION
POSTMASTER GENERAL	:	
	:	
Defendant	:	NO. 02-CV-3797

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**PLAINTIFF'S ANSWER TO DEFENDANT'S  
RENEWED MOTION TO DISMISS COUNT II**

For the reasons set forth in the accompanying Memorandum of Law, Plaintiff, David Howard, respectfully requests this honorable Court deny Defendant's Renewed Motion to Dismiss Count II of the Complaint.

Respectfully submitted,  
**CAROSELLA & FERRY, P.C.**

Date: \_\_\_\_\_

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James J. Munnis, Esquire  
Attorney for David Howard, Plaintiff